Form 10misco

United States Bankruptcy Court
Southern District of Ohio
221 East Fourth Street, Suite 800
Cincinnati, OH 45202−4133

In Re: James Matthew Sparks

Debtor(s)

SSN/TAX ID:
xxx−xx−2799

Case No.: 1:10−bk−17737

Chapter: 7

Judge: Jeffery P. Hopkins

Order Setting Hearing on Motion to Vacate Order Granting Application to Proceed in Forma Pauperis and the Response Thereto and Order Setting Hearing on the Motion to Strike

This matter is before the Court on the Motion to Vacate Order Granting Application to Proceed in Forma Pauperis, filed by the Debtor, James Matthew Sparks, through counsel, Diana Khouri, Esq. (Doc. 18) and the response thereto filed by the trustee Elliott Polaniecki (Doc. 21) and also on the Motion to Strike, filed by the trustee Elliott Polaniecki, Esq. (Doc. 22). ACCORDINGLY, the Motion to Vacate Order Granting Application to Proceed in Forma Pauperis and the response thereto and the Motion to Strike are set for hearing before the Honorable Jeffery P. Hopkins, United States Bankruptcy Judge, at the U.S. Bankruptcy Court, in Suite 816, Courtroom 2, Atrium Two Building, 221 East Fourth Street, Cincinnati, Ohio on FEBRUARY 24, 2011 AT 11:00 A.M.

Counsel for all parties shall be prepared to present all witnesses, evidence, and memoranda at the hearing set above. Presentation of all exhibits shall be by means of the Court's electronic display system. Equipment training and/or testing is the responsibility of counsel and must be completed prior to the hearing. Counsel should contact the Courtroom Deputy to arrange for training and/or testing.

Parties intending to present witnesses or exhibits shall, at least three business days before the hearing, file and serve: (1) a witness list and exhibit list conforming with LBR Form 7016−1−Attachments A and B; and (2) copies of all exhibits, PREMARKED (e.g., Movant's Exhibit 1, 2, etc., Respondent's Exhibit A, B, etc., Joint Exhibit AA, BB, etc.). Parties shall confer to avoid duplication of exhibits.

If a party's exhibits cumulatively exceed 50 pages, that party is not required to file the exhibits. Instead, that party shall comply with the following: (1) each exhibit shall be converted to a separate PDF file and saved on a CD; (2) at least three business days before the hearing, a copy of the CD shall be served on opposing counsel and two paper copies of all exhibits shall be provided to the Courtroom Deputy; (3) at the hearing, the exhibits may be introduced only through the CD and the Court's electronic display system via a court−provided PC (use of paper copies of the CD exhibits will be prohibited); and (4) the CD must be submitted into evidence at the close of the hearing.

Unless a written objection, identifying the specific exhibit to which an objection is made, is filed and served at least one business day before the hearing, all listed exhibits, for which there is a request for admission at the time of the hearing, will be admitted into evidence without further identification or authentication (subject to any other evidentiary objection).

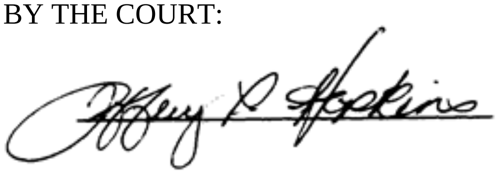
Should any party fail to appear at the hearing or comply with the provisions set forth above, the Court may take such action as provided by law, including dismissal or denial of the motion, granting of the requested relief, or imposition of sanctions pursuant to LBR 9011−3.

IT IS SO ORDERED.

No unauthorized cellular phones, cameras, recording devices, weapons, pagers or other portable electronic devices are permitted on the court's premises.

Dated: January 24, 2011

BY THE COURT:



Jeffery P. Hopkins
United States Bankruptcy Judge